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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/696,903	10/30/2003	Mark S. Penke	A3348Q	9233
63995 7590 06/22/2010 FAY SHARPE / XEROX - ROCHESTER 1228 EUCLID AVENUE, 5TH FLOOR THE HALL BUILDING CLEVELAND, OH 44115				
EXAMINER				
FRENEL, VANEL				
ART UNIT		PAPER NUMBER		
3687				
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06/22/2010		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/696,903

Applicant(s)

PENKE ET AL.

Examiner

VANEL FRENEL

Art Unit

3687

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 September 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 44-78 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 44-78 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/22)
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date: _____

DETAILED ACTION

Notice to Applicant

1. This communication is in response to the Amendment filed on 9/28/09. Claims 1-33 and 79-106 have been cancelled. Claim 44 has been amended. Claims 44-78 are pending.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 44-78 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reddy (2003/0227643) in view of Kato (2003/0036909) and further in view of Perkowski (6,961,712).

As per claim 44, Reddy discloses a multimedia hub comprising: a chassis comprising two towers, a first tower and a second tower stand on a floor (See Reddy, Fig.1, Page 3, Paragraph 0032); a video display device extending between the first and second towers (See Reddy, Fig.2, Page 3, Paragraph 0032); a microprocessor disposed in the chassis and running an operating system comprising a user interface (See Reddy, Page 2, Paragraph 0018, Page 3, Paragraph 0036); at least one video display device disposed on the chassis and receiving display data from the operating system (See Reddy Page 3, Paragraph 0030); at least one input device disposed on the

chassis and arranged for user input of data to the operating system (See Reddy, Page 2, Paragraph 0018; Page 6, Paragraph 0061); at least one data port with which the hub can communicate with another device (See Reddy, Page 2, Paragraph 0017).

Reddy does not explicitly disclose at least one marking-based output device to which a user can direct output.

However, this feature is known in the art, as evidenced by Kato. In particular, Kato suggests that the multimedia has at least one marking-based output device to which a user can direct output (See Kato, Page 1, Paragraph 0010).

It would have been obvious to one of ordinary skill in the art at the time of the invention to have included the feature of Kato within the system of Reddy with the motivation of providing an interface device for interfacing a visually impaired with a multi function machine, the multi function machine having an audio operation mode and a normal operation mode, including: a function control unit for identifying a use of the multi function machine by the visually impaired and for switching an operational mode of the multi function machine from the normal operation mode to the audio operation mode upon identifying the use by the visually impaired; an operational control unit connected to the function unit for controlling a user input and a user output; a voice input unit connected to the operational unit for inputting a voice input as the user input with respect to the layered menu in the audio operation mode; a menu control unit connected to the operational control unit for tracking a current position in a layered menu having multiple layers based upon the user input, each layer having a predetermine number of operational items; and a voice output unit connected to the

operational unit for outputting an audio feedback in response to the user input (See Kato, Page 1, Paragraph 0010).

In addition, as best understood Reddy in view of Kato disclose all the limitations above. The motivation of Reddy and Kato does not explicitly disclose "a kiosk for providing public access to services in common areas of public spaces, the kiosk comprising a first tower and a second tower standing on a floor.; 'wherein the kiosk is capable of operatively interacting with personal electronic devices for providing conferencing, production, and finishing services in a public environment removed from an office or a home'".

However, these features are known in the art, as evidenced by Perkowski. In particular, Perkowski suggests "a kiosk for providing public access to services in common areas of public spaces, the kiosk comprising a first tower and a second tower standing on a floor.; 'wherein the kiosk is capable of operatively interacting with personal electronic devices for providing conferencing, production, and finishing services in a public environment removed from an office or a home'" (See Perkowski, Col.14, lines 60-67 to Col.15, lines 25; Col.37, lines 15-67).

It would have been obvious to one of ordinary skill in the art at the time of the invention to have included the feature of Perkowski within the teachings of Kato and Reddy with the motivation of providing a novel system and method for serving consumer-product related information to Internet users in retail shopping environments (e.g. department stores, supermarkets, superstores, home-centers and the like) as well as at home, work or on the road (See Perkowski, Col.7, lines 33-39).

As per claim 45, Reddy discloses the hub wherein the at least one data port comprises a networking port (See Reddy, Paragraph 0017).

As per claim 46, Reddy discloses the hub wherein the at least one data port comprises a parallel interface port (See Reddy, Page 4, Paragraph 0037).

As per claim 47, Reddy discloses the hub wherein the at least one data port comprises a serial interface port (See Reddy, Page 4, Paragraph 0037).

As per claim 48, Reddy discloses the hub wherein the another device is a portable computer (See Reddy, Page 6, Paragraph 0061).

As per claim 49, Reddy discloses the hub of wherein the another device is a personal digital assistant (See Reddy, Page 5, Paragraph 0059).

As per claim 50, Reddy discloses the hub wherein the another device is a storage device (See Reddy Page 6, Paragraph 0065).

As per claim 51, Reddy discloses the hub wherein the storage device is an optical media drive (See Reddy Page 3, Paragraph 0030; Page 4, Paragraph 0043).

As per claim 52, Reddy discloses the hub wherein the optical media drive is a read/write drive (See Reddy, Page 6, Paragraph 0061).

As per claim 53, Kato discloses the hub wherein the video display device a touch-sensitive display that is also one of the at least one input device (Kato, Page 2, Paragraph 0030).

As per claim 54, Kato discloses the hub wherein the at least one input device comprises a keyboard (See Kato, Page 2, Paragraph 0030).

As per claim 55, Kato discloses the hub of wherein the keyboard is a graphically-represented keyboard on a touch-sensitive display (See Kato, Fig.2; Page 2, Paragraph 0029).

As per claim 56, Reddy discloses the hub wherein the keyboard is disposed on the chassis (See Reddy, Fig.2, Page 3, Paragraph 0032).

As per claim 57, Reddy discloses the hub wherein the at least one input device comprises a pointing device (See Reddy, Page 5, Paragraph 0059).

As per claim 58, Kato discloses the hub wherein the pointing device is a track pad (See Kato, Fig.6).

As per claim 59, Kato discloses the hub wherein the pointing device is a touch-sensitive display (See Kato, Fig.2; Page 2, Paragraph 0029).

As per claim 60, Kato discloses the hub wherein the at least one input device is a speech recognition package (See Kato, Page 6, Paragraph 0063).

As per claim 61, Kato discloses the hub wherein the speech recognition package provides control over the hub and applications running on the hub via spoken commands (See Kato, Page 6, Paragraph 0063).

As per claim 62, Kato discloses the hub of claim 60 wherein the speech recognition package provides navigation of a network to which the hub is attached via spoken commands (See Kato, Page 6, Paragraph 0063).

As per claim 63, Kato discloses the hub wherein the speech recognition package comprises a command and control package (See Kato, Fig.6; Page 3, Paragraph 0041).

As per claim 64, Kato discloses the hub wherein the speech recognition package comprises a speech-to-text package (See Kato, Page 6, Paragraph 0063).

As per claim 65, Reddy discloses the hub further comprising a work surface extending between the two towers (See Reddy, Fig.2, Page 3, Paragraph 0032).

As per claim 66, Kato discloses the hub further comprising a scanning interface arranged to accept an original object to be scanned to create an image of the original object (See Kato, Page 8, Paragraph 0077).

As per claim 67, Kato discloses the hub wherein the image is stored on a storage medium of the device (See Kato, Page 8, Paragraph 0077).

As per claim 68, Kato discloses the hub wherein at least one of the first and second towers houses the marking-based output device (See Kato, Page 7, Paragraph 0067).

As per claim 69, Kato discloses the hub wherein at least one of the first and second towers houses an output tray of the marking-based output device (See Kato, Page 7, Paragraph 0067).

As per claim 70, Reddy discloses the hub wherein the video display device is a water-vapor based display device (See Reddy Page 3, Paragraph 0030).

As per claim 71, Reddy discloses the hub wherein the video display device is a projection device (See Reddy, Page 6, Paragraph 0063).

Claims 72-78 recite the same limitations as claims 1-71 are therefore rejected for the same reasons given above, and incorporated herein.

Response to Arguments

4. Applicant's arguments filed on 09/28/09 with respect to claims 44-78 have been considered but are moot in view of the new ground(s) of rejection.
5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to VANEL FRENEL whose telephone number is (571)272-6769. The examiner can normally be reached on 6:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew S. Gart can be reached on 571-272-3955. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Vanel Frenel/

Primary Examiner, Art Unit 3687

June 19, 2010